

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

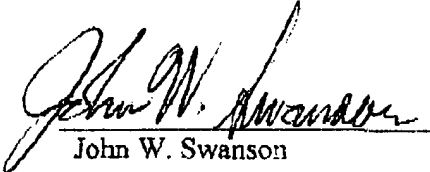
Applicant: John W. Swanson **Art Unit:** 3739
Serial No.: 10/822,491 **Examiner:** Cohen, L
Filing Date: April 12, 2004 **Docket:** MH1.238
Title: Flexible Bio-Probe Assembly

DECLARATION UNDER 37 CFR 1.31

I, John W. Swanson, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 USC 1001) and may jeopardize the validity of the application or any patent issuing thereon, do declare as follows:

I invented the subject matter of U.S. patent application serial number 10/822,491 as defined by the current claims of that application, prior to May 30, 2001.

All statements in this declaration made of my own knowledge are true. All statements made on the basis of information and belief and believed to be true.

 February 28, 2005
John W. Swanson